

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2004 JUN -2 P 2:14

BAXTER HEALTHCARE CORPORATION,

Plaintiff,

v.

THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW
YORK,

Defendant.

U.S. DISTRICT COURT
DISTRICT OF MASS.
CIVIL ACTION No. 03-12221-MLW

**STIPULATED ORDER OF DISMISSAL OF
PLAINTIFF'S CLAIMS AGAINST
COLUMBIA UNIVERSITY**

Whereas, Plaintiff Baxter Healthcare Corporation ("Plaintiff") filed this action on November 12, 2003, against Defendant The Trustees of Columbia University in the City of New York ("Defendant"); and

Whereas, the parties have entered into an agreement to settle Plaintiff's claims against Columbia on certain terms and conditions set forth in their agreement;

NOW, THEREFORE, the parties hereby stipulate and agree, by and through their respective counsel of record, that the Court enter the following Stipulated Order of Dismissal, which shall be binding upon them:

1. The Court has specific personal jurisdiction over the parties for purposes of this action only.
2. All of Plaintiff's claims against Defendant in the above-captioned action are hereby dismissed with prejudice.

3. The parties shall bear their own costs and attorneys' fees in connection with the above-captioned action. In addition, the parties waive all rights to appeal this Stipulated Order of Dismissal.

Dated: June 1, 2004

FOLEY HOAG LLP

By: Donald R. Ware
Donald R. Ware
Attorneys for Plaintiff Baxter Healthcare Corporation

Dated: 6/2, 2004

GRIESINGER, TIGHE & MAFFEI, LLP


By: Thomas F. Maffei
Thomas F. Maffei
Attorneys for Defendant
The Trustees of Columbia University in the City of New York

ORDER

Pursuant to the Stipulation between Plaintiff and Defendant, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. The Court has specific personal jurisdiction over the parties for purposes of this action only.
2. All of Plaintiff's claims against Defendant in the above-captioned action are hereby dismissed with prejudice.
3. The parties shall bear their own costs and attorneys' fees in connection with the above-captioned action. In addition, the parties waive all rights to appeal this Stipulated Order of Dismissal.

Dated: June 3, 2004


HON. MARK L. WOLF
UNITED STATES DISTRICT JUDGE